

FILED 15 MAR '23 12:20 USDC-ORP

**UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION**

UNITED STATES OF AMERICA

3:23-cr-00071-IM

v.

INDICTMENT

**LUIS RECARTE-MENCIA,
BRYAN BONILLA-RODRIGUEZ, and
BRYAN CABRERA-SANCHEZ,**

**21 U.S.C. §§ 841(a)(1), (b)(1)(A)(vi),
(b)(1)(B), and 846, 18 U.S.C. §§
924(c)(1)(A), 924(d)**

Defendants.

Forfeiture Allegations

THE GRAND JURY CHARGES:

COUNT 1

**(Conspiracy to Possess with the Intent to Distribute Fentanyl)
(21 U.S.C. §§ 841(a)(1), (b)(1)(A), and 846)**

Beginning at a time unknown and continuing up to on or about February 22, 2023, in the District of Oregon and elsewhere, **LUIS RECARTE-MENCIA, BRYAN BONILLA-RODRIGUEZ, and BRYAN CABRERA-SANCHEZ**, defendants herein, did knowingly and intentionally combine, conspire, confederate and agree together, with each other, and with other persons known and unknown to the grand jury, to possess with the intent to distribute 400 grams or more of a mixture or substance containing a detectable amount of fentanyl (N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide, a Schedule II controlled substance,

In violation of Title 21, United States Code, Sections 841(a)(1), (b)(1)(A)(vi) and 846.

COUNT 2
(Possession with the Intent to Distribute Fentanyl)
(21 U.S.C. § 841(a)(1) and (b)(1)(A)(vi))

Beginning at a time unknown and continuing up to on or about February 22, 2023, in the District of Oregon, **BRYAN BONILLA-RODRIGUEZ** and **BRYAN CABRERA-SANCHEZ**, defendants herein, did knowingly and intentionally possess with the intent to distribute 400 grams or more of a mixture or substance containing a detectable amount of fentanyl (N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide, a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(A)(vi).

COUNT 3
(Possession with the Intent to Distribute Heroin)
(21 U.S.C. § 841(a)(1) and (b)(1)(B))

On or about February 22, 2023, in the District of Oregon, **BRYAN BONILLA-RODRIGUEZ**, and **BRYAN CABRERA-SANCHEZ** defendants herein, did knowingly and intentionally possess with the intent to distribute 100 grams or more of a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(B)(i).

COUNT 4
(Possession with the Intent to Distribute Methamphetamine)
(21 U.S.C. § 841(a)(1) and (b)(1)(B))

On or about February 22, 2023, in the District of Oregon, **BRYAN BONILLA-RODRIGUEZ**, defendant herein, did knowingly and intentionally possess with the intent to distribute 50 grams or more of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II controlled substance;

In violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(B)(viii).

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COUNT 5
(Possession of Firearm in Furtherance of a Drug Trafficking Crime)
(18 U.S.C. § 924(c)(1)(A))

On or about February 22, 2023, in the District of Oregon, **LUIS RECARTE-MENCIA**, defendant herein, did knowingly possess firearm(s) to wit, a Springfield Semi-Auto .45 firearm bearing Serial No. MG672836 and an SKS Rifle bearing Serial No. 578531, in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, that is conspiracy and possession with the intent to distribute fentanyl and heroin as alleged in Count 1 of this indictment;

In violation of Title 18, United States Code, Section 924(c)(1)(A).

COUNT 6
(Possession of Firearm in Furtherance of a Drug Trafficking Crime)
(18 U.S.C. § 924(c)(1)(A))

On or about February 22, 2023, in the District of Oregon, **BRYAN BONILLA-RODRIGUEZ**, defendant herein, did knowingly possess a firearm to wit, a 9mm Silver & Black Ruger firearm bearing Serial No. 30305446, in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, that is conspiracy and possession with the intent to distribute fentanyl and heroin as alleged in Counts 1 through 4 of this indictment;

In violation of Title 18, United States Code, Section 924(c)(1)(A).

COUNT 7
(Possession of Firearm in Furtherance of a Drug Trafficking Crime)
(18 U.S.C. § 924(c)(1)(A))

On or about February 22, 2023, in the District of Oregon, **BRYAN CABRERA-SANCHEZ**, defendant herein, did knowingly possess a firearm to wit, a 9mm Glock firearm, in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United

States, that is conspiracy and possession with the intent to distribute fentanyl as alleged in Counts 1, 2 and 3 of this indictment.

In violation of Title 18, United States Code, Section 924(c)(1)(A).

FIRST FORFEITURE ALLEGATION

Upon conviction of the controlled substance offenses alleged in Counts 1 through 4, **LUIS RECARTE-MENCIA, BRYAN BONILLA-RODRIGUEZ, and BRYAN CABRERA-SANCHEZ**, defendants herein, shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853, any property constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of the said violations and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of said violations, including but not limited to the following: a money judgment for a sum of money equal to the amount of property representing the amount of proceeds obtained as a result of the controlled substances distributed as alleged in Counts 1 through 4.

If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third person;
- (3) has been placed beyond the jurisdiction of the Court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be subdivided without difficulty;

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it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), as incorporated by 18 U.S.C. § 982(b), to seek forfeiture of any other property of said defendant up to the value of the forfeitable property described above.

SECOND FORFEITURE ALLEGATION

Upon conviction for offenses in Counts 5, 6, and 7, defendants herein, **LUIS RECARTE-MENCIA, BRYAN BONILLA-RODRIGUEZ, and BRYAN CABRERA-SANCHEZ** shall forfeit to the United States pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), the firearms and ammunition involved in each offense, including without limitation:

1. A Springfield Semi-Auto .45 firearm bearing Serial No. MG672836;
2. An SKS Rifle bearing Serial No. 578531;
3. A 9mm Silver & Black Ruger firearm bearing Serial No. 30305446; and
4. A 9mm Glock firearm.

Dated: March 14, 2023

A TRUE BILL.

OFFICIATING FOREPERSON

Presented by:
NATALIE K. WIGHT
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